

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:23-cv-00984-CKK**

COMITE DIALOGO AMBIENTAL, INC. et al v. FEDERAL
EMERGENCY MANAGEMENT AGENCY et al
Assigned to: Judge Colleen Kollar-Kotelly
Cause: 30:181 Environment: Review of Agency Action

Date Filed: 04/11/2023
Date Terminated: 03/12/2024
Jury Demand: None
Nature of Suit: 893 Environmental Matters
Jurisdiction: U.S. Government Defendant

Plaintiff

COMITE DIALOGO AMBIENTAL, INC.

represented by **Anchun Jean Su**
CENTER FOR BIOLOGICAL DIVERSITY
1411 K Street, NW
Suite 1300
Washington, DC 20005
(202) 849-8399
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Howard M. Crystal
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

**ALIANZA COMUNITARIA
AMBIENTALISTA DEL SURESTE, INC.**

represented by **Anchun Jean Su**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Howard M. Crystal
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

**CAMPAMENTO CONTRA LAS CENIZAS
EN PENUELAS, INC.**

represented by **Anchun Jean Su**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Howard M. Crystal

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Plaintiff

**CASA TALLABOENA DE FORMACION
COMUNITARIA Y RESILIENCIA, INC.**

represented by **Anchun Jean Su**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Howard M. Crystal

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Plaintiff

CENTER FOR BIOLOGICAL DIVERSITY

represented by **Anchun Jean Su**

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Augusta Wilson

CENTER FOR BIOLOGICAL DIVERSITY

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585-503-8765

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Howard M. Crystal

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Plaintiff

**COMITE CABORROJENO PRO SALUD Y
AMBIENTE, INC.**

represented by **Anchun Jean Su**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Howard M. Crystal

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Plaintiff

**COMITE YABUCOENO PRO-CALIDAD
DE VIDA, INC.**

represented by **Anchun Jean Su**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Howard M. Crystal
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

EL PUENTE DE WILLIAMSBURG, INC.

represented by **Anchun Jean Su**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Howard M. Crystal
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

**FRENTE UNIDO PRO-DEFENSA DEL
VALLE DE LAJAS, INC.**

represented by **Anchun Jean Su**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Howard M. Crystal
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**FEDERAL EMERGENCY
MANAGEMENT AGENCY**

represented by **Krystal-Rose Perez**
DEPARTMENT OF JUSTICE
Natural Resources Sect, Environment & Natural
Resources Div
150 M Street NE
Room 3216
Washington, DC 20002
(202) 305-0486
Email: krystal-rose.perez@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**DEPARTMENT OF HOMELAND
SECURITY**

represented by **Krystal-Rose Perez**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

represented by

DEANNE CRISWELL

Administrator; Federal Emergency
Management Agency

Krystal-Rose Perez

(See above for address)

LEAD ATTORNEY**ATTORNEY TO BE NOTICED****Defendant****ALEJANDRO N. MAYORKAS**

Secretary; Department of Homeland Security

represented by **Krystal-Rose Perez**

(See above for address)

LEAD ATTORNEY**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
04/11/2023	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 402 receipt number ADCDC-9989203) filed by CENTER FOR BIOLOGICAL DIVERSITY. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Civil Cover Sheet Attachment, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons)(Crystal, Howard) (Entered: 04/11/2023)
04/11/2023	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by CENTER FOR BIOLOGICAL DIVERSITY (Crystal, Howard) (Entered: 04/11/2023)
04/11/2023	<u>3</u>	NOTICE of Appearance by Howard M. Crystal on behalf of All Plaintiffs (Crystal, Howard) (Entered: 04/11/2023)
04/11/2023	<u>4</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Augusta C.F. Wilson, Filing fee \$ 100, receipt number ADCDC-9989514. Fee Status: Fee Paid. by ALIANZA COMUNITARIA AMBIENTALISTA DEL SURESTE, INC., CAMPAMENTO CONTRA LAS CENIZAS EN PENUELAS, INC., CASA TALLABOENA DE FORMACION COMUNITARIA Y RESILIENCIA, INC., CENTER FOR BIOLOGICAL DIVERSITY, COMITE CABORROJENO PRO SALUD Y AMBIENTE, INC., COMITE DIALOGO AMBIENTAL, INC., COMITE YABUCOENO PRO-CALIDAD DE VIDA, INC., EL PUENTE DE WILLIAMSBURG, INC., FRENTE UNIDO PRO-DEFENSA DEL VALLE DE LAJAS, INC.. (Attachments: # <u>1</u> Declaration, # <u>2</u> Certificate of Good Standing, # <u>3</u> Text of Proposed Order)(Crystal, Howard) (Entered: 04/11/2023)
04/11/2023	<u>1</u>	Case Assigned to Judge Colleen Kollar-Kotelly. (zrtw) (Entered: 04/11/2023)
04/11/2023	<u>5</u>	SUMMONS (4) Issued Electronically as to DEANNE CRISWELL, DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY and ALEJANDRO MAYORKAS (Attachments: # <u>1</u> Notice and Consent)(zrtw) (Entered: 04/11/2023)
04/11/2023		NOTICE OF ERROR re <u>1</u> Complaint; emailed to hcrystal@biologicaldiversity.org, cc'd 3 associated attorneys -- The PDF file you docketed contained errors: 1. Missing summonses--government. When naming a government agent or agency as a defendant, you must supply a summons for each defendant & two additional summonses for the U.S. Attorney & U.S. Attorney General. Please submit using the event Request for Summons to Issue. (zrtw,) (Entered: 04/11/2023)
04/11/2023	<u>6</u>	REQUEST FOR SUMMONS TO ISSUE to U.S. Atty Gen. and U.S. Atty for D.C. by CENTER FOR BIOLOGICAL DIVERSITY filed by CENTER FOR BIOLOGICAL DIVERSITY. (Attachments: # <u>1</u> Summons-US Attorney for DC)(Wilson, Augusta) (Entered: 04/11/2023)
04/11/2023	<u>1</u>	MINUTE ORDER: The Court is in receipt of Plaintiff's <u>3</u> Motion for Admission Pro Hac Vice as to Augusta C.F. Wilson. Counsel Wilson represents that they practice from an office located in the District of Columbia and that their application for admission to the Bar of the District of Columbia

is pending. Counsel Wilson does not represent that they have applied for admission to the bar of this jurisdiction. Pursuant to LCvR 83.2(c)(2) and the comment thereto, the 3 Motion for Admission Pro Hac Vice as to August C.F. Wilson is **DENIED WITHOUT PREJUDICE**. The Court will grant admission *pro hac vice* only after counsel Wilson submits an Application for Admission to the Bar of the United States District and Bankruptcy Courts for the District of Columbia. Signed by Judge Colleen Kollar-Kotelly on April 11, 2023. (lcckk1) (Entered: 04/11/2023)

04/12/2023	<u>7</u>	SUMMONS (2) Issued Electronically as to U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zjm) (Entered: 04/12/2023)
04/13/2023	<u>8</u>	NOTICE of Appearance by Anchun Jean Su on behalf of All Plaintiffs (Su, Anchun) (Entered: 04/13/2023)
05/25/2023	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/12/2023. Answer due for ALL FEDERAL DEFENDANTS by 6/11/2023. (Crystal, Howard) (Entered: 05/25/2023)
05/25/2023	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 4/24/23. (Crystal, Howard) (Entered: 05/25/2023)
05/25/2023	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. FEDERAL EMERGENCY MANAGEMENT AGENCY served on 4/24/2023 (Crystal, Howard) (Entered: 05/25/2023)
05/25/2023	<u>12</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF HOMELAND SECURITY served on 4/24/2023 (Crystal, Howard) (Entered: 05/25/2023)
05/25/2023	<u>13</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEANNE CRISWELL served on 4/24/2023 (Crystal, Howard) (Entered: 05/25/2023)
05/25/2023	<u>14</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. ALEJANDRO MAYORKAS served on 4/24/2023 (Crystal, Howard) (Entered: 05/25/2023)
06/08/2023	<u>15</u>	NOTICE of Appearance by Krystal-Rose Perez on behalf of All Defendants (Perez, Krystal-Rose) (Entered: 06/08/2023)
06/08/2023	<u>16</u>	Joint MOTION for Briefing Schedule <i>re Defendants' Motion to Transfer Venue</i> , Unopposed MOTION for Extension of Time to File Answer <i>to Plaintiffs' Complaint</i> by DEANNE CRISWELL, DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY, ALEJANDRO MAYORKAS. (Attachments: # <u>1</u> Proposed Order)(Perez, Krystal-Rose) (Entered: 06/08/2023)
06/14/2023	<u>1</u>	MINUTE ORDER: The Court is in receipt of the parties' <u>16</u> Joint Motion for Enlargement of Time to File Answer and Set Briefing Schedule. The parties jointly request a briefing schedule for a motion to transfer venue and for a continuance of Defendant's deadline to answer pending the resolution of such a motion. As the parties consent, and upon good cause shown, the parties' <u>16</u> Joint Motion for Enlargement of Time to File Answer and Set Briefing Schedule is GRANTED . Defendants shall file their motion to transfer venue on or before June 16, 2023 , Plaintiffs shall file their response on or before July 7, 2023 , and Defendants shall file their reply on or before July 21, 2023 . Finally, Defendants shall file their answer no later than twenty-one days after the Court's resolution of the motion . Signed by Judge Colleen Kollar-Kotelly on June 14, 2023. (lcckk1) (Entered: 06/14/2023)
06/14/2023	<u>1</u>	Set/Reset Deadlines: Defendants' Motion to transfer venue due by 6/16/2023. PlaintiffsResponse due by 7/7/2023. Defendants' Reply due by 7/21/2023. (dot) (Entered: 06/16/2023)
06/16/2023	<u>17</u>	

		MOTION to Transfer Case by DEANNE CRISWELL, DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY, ALEJANDRO MAYORKAS. (Attachments: # <u>1</u> Declaration)(Perez, Krystal-Rose) (Entered: 06/16/2023)
07/07/2023	<u>I 18</u>	Memorandum in opposition to re <u>17</u> Motion to Transfer Case filed by ALIANZA COMUNITARIA AMBIENTALISTA DEL SURESTE, INC., CAMPAMENTO CONTRA LAS CENIZAS EN PENUELAS, INC., CASA TALLABOENA DE FORMACION COMUNITARIA Y RESILIENCIA, INC., CENTER FOR BIOLOGICAL DIVERSITY, COMITE CABORROJENO PRO SALUD Y AMBIENTE, INC., COMITE DIALOGO AMBIENTAL, INC., COMITE YABUCOENO PRO-CALIDAD DE VIDA, INC., EL PUENTE DE WILLIAMSBURG, INC., FRENTE UNIDO PRO-DEFENSA DEL VALLE DE LAJAS, INC.. (Attachments: # <u>1</u> Declaration Declaration of Macro Carrion, # <u>2</u> Declaration Declaration of Peter Galvin, # <u>3</u> Text of Proposed Order)(Su, Anchun) (Entered: 07/07/2023)
07/21/2023	<u>I 19</u>	REPLY to opposition to motion re <u>17</u> MOTION to Transfer Case filed by DEANNE CRISWELL, DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY, ALEJANDRO MAYORKAS. (Perez, Krystal-Rose) (Entered: 07/21/2023)
08/21/2023	<u>I 20</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Augusta C.F. Wilson, Receipt No ADCDC-10291057. Filing fee \$100. by ALIANZA COMUNITARIA AMBIENTALISTA DEL SURESTE, INC., CAMPAMENTO CONTRA LAS CENIZAS EN PENUELAS, INC., CASA TALLABOENA DE FORMACION COMUNITARIA Y RESILIENCIA, INC., CENTER FOR BIOLOGICAL DIVERSITY, COMITE CABORROJENO PRO SALUD Y AMBIENTE, INC., COMITE DIALOGO AMBIENTAL, INC., COMITE YABUCOENO PRO-CALIDAD DE VIDA, INC., EL PUENTE DE WILLIAMSBURG, INC., and FRENTE UNIDO PRO-DEFENSA DEL VALLE DE LAJAS, INC. (Attachments: # <u>1</u> Declaration, # <u>2</u> Certificate of Good Standing, # <u>3</u> Text of Proposed Order)(ztnr) (Entered: 08/22/2023)
08/22/2023	<u>I</u>	MINUTE ORDER granting <u>20</u> Motion for Leave to Appear Pro Hac Vice as to Augusta C.F. Wilson. Counsel shall register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a) forthwith Click for instructions. Signed by Judge Colleen Kollar-Kotelly on August 22, 2023. (lcckk1) (Entered: 08/22/2023)
08/25/2023	<u>I 21</u>	NOTICE of Appearance by Augusta Wilson on behalf of CENTER FOR BIOLOGICAL DIVERSITY (Wilson, Augusta) (Entered: 08/25/2023)
03/11/2024	<u>I 22</u>	MOTION to Compel <i>Production of the Administrative Record</i> by CENTER FOR BIOLOGICAL DIVERSITY. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit, # <u>3</u> Text of Proposed Order)(Wilson, Augusta) (Entered: 03/11/2024)
03/12/2024	<u>I 23</u>	MEMORANDUM OPINION AND ORDER granting Defendants' <u>17</u> Motion to Transfer Venue to the District of Puerto Rico. Signed by Judge Colleen Kollar-Kotelly on 3/12/2024. (lcckk1) (Entered: 03/12/2024)
03/12/2024	<u>I</u>	Set/Reset Deadlines: Transfer due by 3/22/2024. (dot) (Entered: 03/13/2024)